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April 22, 2010

Via Facsimile, Electronic Filing, & U.S. Mail

Honorable Esther Salas, U.S.M.J.
United States District Court
M.L. King, Jr. Federal Bldg. & U.S. Courthouse
50 Walnut Street – Room 2060
Newark, New Jersey 07101

Re: N.V.E., Inc. v. Jesus Palmeroni, et al.;
Docket No. 2:06-CV-05455 (GEB) (ES)

Dear Judge Salas:

As per my discussion with Ms. Lieberman, I am writing to alert the Court that the Broker Defendants, Ronald Sumicek and Sunbelt Marketing will be issuing a subpoena to Lakeland Bank as attached, which is substantially similar to that issued by Plaintiff, N.V.E., Inc., to which Defendant Palmeroni is objecting. I spoke with counsel for Mr. Palmeroni this afternoon about this subpoena and he stated that he will object to our subpoena on the same or similar grounds as to that of N.V.E. Therefore, I am writing to propose, in the interest of efficiency, that the Court may want to include deadlines for motions and responses to the issuance of this subpoena by the Broker Defendants on the same schedule as that of N.V.E., in the forthcoming order.

In addition, because of the ongoing refusal of N.V.E., Inc., to make disclosure of information regarding sales to former clients of the Broker Defendants, Sunbelt Marketing and Ronald Sumicek, which information is necessary for their counterclaims, the Broker Defendants must issue subpoenas to approximately sixty-five former clients of the Broker Defendants that will all be substantially similar in form and will seek information regarding the amounts of N.V.E. goods those entities have purchased since N.V.E. breached its brokerage agreement with the Broker Defendants.

Inasmuch, I would further propose, in the interest of efficiency, that any objection N.V.E., Inc., may have to the these subpoenas be required to be submitted and responded to on the same schedule set forth in the forthcoming Order.

Hon. Esther Salas, U.S.M.J.; 22 Apr. 2010 / pg. 2 of 2

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'C. Ronald Stafford, Jr.', is written over the printed name.

COLLIER & BASIL, P.C.
Attorneys for Defendants
Ronald Sumicek and Sunbelt Marketing
by: C. Ronald Stafford, Jr., Of Counsel

cc: Via email:
Neil Grossman, Esq
David G. White, Esq.
David Rostan, Esq.
Samuel J. Samaro, Esq.

e-Filing (pending)

CRS/mp

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

N.V.E., Inc.

Plaintiff

v.

Jesus J. Palmeroni a/k/a Joseph Palmeroni, et al.

Defendant

Civil Action No. 06-5455 (GEB)(ES)

(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Lakeland Bank, Newfoundland Branch Manager, 2717 Route 23 South, Newfoundland, NJ 07435, AND
Lakeland Bank Corporate Headquarters, 250 Oak Ridge Road, Oak Ridge, NJ 07438

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: All documents, electronic information, and other data in the custody or control of Lakeland Bank pertaining to an entity known and/or formerly known as "National Retail Consulting Group" and/or "National Retail Consulting Group, Inc.", including but not limited to all information pertaining to account # 564006283, and including but not limited to deposit records, copies of instruments deposited and drawn, account statements.

Place: Collier & Basil, P.C., ATTN: C. Ronald Stafford, Jr.,
Esq., 475 Wall Street, Princeton, NJ 08540

Date and Time:

05/07/2010 11:00 am

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:


Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 04/22/2010

CLERK OF COURT

OR



C. Ronald Stafford, Jr., Esq.

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Ronald Sumicek & Sunbelt Marketing, Defendants/Counterclaimants, who issues or requests this subpoena, are:

COLLIER & BASIL, P.C., By: C. Ronald Stafford, Jr., Esq., 475 Wall Street, Princeton, NJ 08540; (609) 279-9200;
c_ron_stafford@yahoo.com